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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/519,029	12/22/2004	Chris L Miller	AD6863USPCT	7642

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E I Du Pont De Nemours and Company
Legal Patent Records Center
4417 Lancaster Pike
Wilmington, DE 19805

EXAMINER

ROBINSON, ELIZABETH A

ART UNIT	PAPER NUMBER
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1794

MAIL DATE	DELIVERY MODE
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03/17/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/519,029	Applicant(s) MILLER ET AL.	
	Examiner Elizabeth Robinson	Art Unit 1794	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-20 is/are pending in the application.
- 4a) Of the above claim(s) 1-3 and 5-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-3 and 5-20 are currently pending.

Election/Restrictions

Newly submitted claims 1-3 and 5-18 are directed to an invention that lacks unity with the invention originally claimed for the following reasons:

The application now contains the following groups:

Group I, claims 1-3 and 5-18, drawn to a transfer member.

Group II, Claims 19 and 20, drawn to a method of transporting a device.

The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

All of the Claims for Groups I and II claim the same technical feature of the transfer member of claim 1. However, the transfer member of claim 1 does not exhibit "special technical features" because it does not make a contribution over the prior art. Fischer et al. (US 4,759,964) (Column 1, lines 5-11) teaches a structural panel for an airplane floor with layers of fiber-reinforced materials and a high melting point material layer. This panel is comprised of the following layers. The layer that corresponds to layer a) of the instant application is the layer comprised of the core layer 4 with a layer 3 attached to each side (See Column 2, line 58 through Column 3, line 34 and the

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Figure). The layers 3 are fiber layers impregnated by a resin. The fibers can be carbon fibers (column 4, lines 25-29). The layers that correspond to the layers b) of the instant application are the layers 2. This layer (Column 2, lines 14-21) is made of a metal foil and is thus reflective. The layers that correspond to layers c) of the instant application are the layers 1. The layers 1 are fiber layers impregnated by a resin. The fibers can be glass fibers (column 4, lines 25-29). The impregnating resin can be epoxy (Column 3, lines 10-13). In the instant application, the conductive polymer is defined as a polymer material with an electroconductive filler. One of the filler materials taught is carbon fibers. Since the layers 3 are resin (polymer) layers with carbon fibers, they are electroconductive polymer parts that are electrically connected to the carbon fibers.

Since applicant has received an action on the merits for the originally presented invention (Group II), this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 1-3 and 5-18 are withdrawn from consideration as being directed to a nonelected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claim Rejections - 35 USC § 102/103

Claims 19 and 20 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Fischer et al. (US 4,759,964).

Regarding claim 19, Fischer (Column 1, lines 5-11) teaches a structural panel for an airplane floor with layers of fiber-reinforced materials and a high melting point material layer. Airplanes transport devices. This panel is comprised of the following

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layers. The layer that corresponds to layer a) of the instant application is the layer comprised of the core layer 4 with a layer 3 attached to each side (See Column 2, line 58 through Column 3, line 34 and the Figure). The layers 3 are fiber layers impregnated by a resin. The fibers can be carbon fibers (column 4, lines 25-29). The layers that correspond to the layers b) of the instant application are the layers 2. This layer (Column 2, lines 14-21) is made of a metal foil and is thus reflective. The layers that correspond to layers c) of the instant application are the layers 1. The layers 1 are fiber layers impregnated by a resin. The fibers can be glass fibers (column 4, lines 25-29). The impregnating resin can be epoxy (Column 3, lines 10-13). In the instant application, the conductive polymer is defined as a polymer material with an electroconductive filler. One of the filler materials taught is carbon fibers. Since the layers 3 are resin (polymer) layers with carbon fibers, they are electroconductive polymer parts that are electrically connected to the carbon fibers. While Fischer does not explicitly state that the transfer member prevents radiant thermal energy absorption by a surface of the device, the structure of Fischer has the same layers as in the instant case and thus, should inherently meet this limitation.

Regarding claim 20, airplanes transport cellular phones and flat panel display screens.

Response to Arguments

Applicant's arguments filed December 12, 2007 have been fully considered but they are not persuasive. Applicant argues that Fischer et al. does not teach an

electroconductive polymer part. As stated above, the materials of layer 3 are electroconductive polymers.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Due to amendments to the claims the 35 U.S.C. 112 rejections from the September 7, 2007 Office Action are withdrawn.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth Robinson whose telephone number is (571)272-7129. The examiner can normally be reached on Monday- Friday 8 AM to 4:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney can be reached on 571-272-1284. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ear
/E. R./
Examiner, Art Unit 1794

/Carol Chaney/
Supervisory Patent Examiner, Art Unit 1794